

REMARKS

In the present Office Action, claims 1-8, 12-19, 21 and 22 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,931,362 to Carlson (Carlson); and claims 9-11 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant appreciates the indication of allowable subject matter. With this Reply, Applicant has amended the claims in a manner believed to overcome the above rejection. In particular, independent claim 1 as currently amended recites among other things a receptacle arranged to receive a portion of crop head, the receptacle being dimensioned to enable the grain threshing device when in use to be held by a person, the receptacle having a cylindrical inner face, the inner face of the receptacle having a plurality of axial ribs; and a shaft rotatably mounted within the receptacle, the shaft supporting a plurality of flexible arm members, the arm members being dimensioned to extend from the shaft such that their outer ends are to be able to strike the axial ribs upon rotation of the shaft. Applicant respectfully submits that Carlson does not teach or suggest such features. Accordingly, Applicant respectfully request reconsideration and withdrawal of the rejection of claim 1.

Claims 2-11 have been amended to either change their dependencies and/or to further clarify the claims. Since claims 2-11 depend from claim 1 and since claim 1 recites features that are neither taught nor suggested by the prior art, these claims should also be allowable. In addition, claims 2-11 recite features not taught or suggested by the

prior art and are patentably distinct. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 2-11.

Independent claim 12 has been amended to recite among other things a portable grain thresher comprising a receptacle having a cylindrical inner face, the inner face of the receptacle having a plurality of axial ribs spaced around the inner face; a shaft rotatably mounted within the receptacle, the shaft having an end external of the receptacle which in use is able to be engaged with a portable drive means; and one or more flexible arm members extending from the shaft, the arm members being dimensioned to strike the axial ribs upon rotation of the shaft by the portable drive means. Applicant respectfully submits that Carlson does not teach or suggest such features. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 12.

Claims 13-25 have been amended to either change their dependencies and/or to further clarify the claims. Since claims 13-25 depend from claim 12 and since claim 12 recites features that are neither taught nor suggested by the prior art, these claims should also be allowable. In addition, claims 13-25 recite features not taught or suggested by the prior art and are patentably distinct. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 13-25.

In addition, new claims 26-29 have been added with this Reply. Claims 26 and 27 depend from claims 1 and 12, respectively. For at least the reasons give above with respect to claims 2-11 and 13-25 new claims 26 and 27 should be allowable. In addition, claims 26 and 27 recite features not taught or suggested by the prior art and are patentably distinct and should be allowable.

Independent claim 28 recites the combination of features found in claims 1, 4, and 10 and claim 29 recites the combination of features found in claims 12, 16, and 24. Applicant respectfully submits that the prior art does not teach or suggest the features recited in these claims and should therefore be allowable.

Applicant respectfully submits that no new matter has been added by the current amendments to the claims. All the features recited in the claims can be found throughout the written description and drawings. In particular, paragraph [0020] discloses that the receptacle is in the form of a cylindrical vessel. Paragraph [0021] discloses that the shaft supports flexible arm members and that the arm members are in the form of elongated strips of a flexible material. The drawings and paragraph [0023] disclose axial ribs and that the arm members and ribs are arranged such that arms strike the ribs.

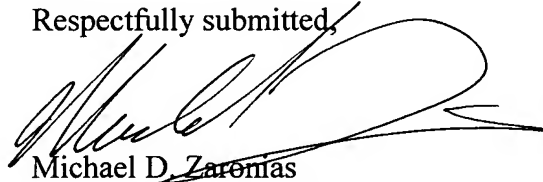
Paragraph [0028] discloses that the cylindrical vessel is constructed to be of a size and weight so that it can be easily carried to various locations. In addition, paragraph [0003] discloses that prior art grain threshers are in the form of heavy machinery and designed to extract large quantities of grain. Further, this paragraph discloses that it is necessary to extract small quantities and to be able to move the grain thresher between a number of crops. Also, paragraph [0032] discloses how the chaff can be separated from the grain by pouring the grain from the collection vessel and allowing the wind to accomplish the separation. This means that the device is easily liftable. Moreover, paragraph [0031] discloses that the portable drive means may be a cordless drill meaning the device that is not heavy machinery.

Lastly, paragraph [0029] discloses that an end of the shaft is arranged to extend through the lid which means that the shaft is external to the receptacle.

For at least the foregoing reasons, Applicant respectfully submits that the claims are now in condition for allowance. Additionally, Applicant respectfully requests a notice of allowance of the claims of the present application. Early and favorable action is hereby solicited and appreciated.

Applicant authorizes the Commissioner to charge seven hundred ten dollars (\$710.00) to our Deposit Account No. 50/1039; two hundred dollars (\$200.00) for the four extra dependent claims and one extra independent claim, and five hundred ten dollars (\$510.00) for the three-month extension of time fee. It is believed that no other fees are due with this reply. However, if such a fee should be required, the Commissioner is authorized to charge our Deposit Account No. 50/1039.

Respectfully submitted,



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